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Certificate of Facsimile Transmission

I hereby certify that the attached RCE Transmittal with accompanying Amendment and PTO-2038 to Examiner Dung C. Dinh is being transmitted via facsimile to the U.S. Patent and Trademark Office (571) 273-8300 on May 16, 2006.

Janet Sullivan
Janet SullivanPATENT APPLICATION
Do. No. 6071-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ron McCabe

Confirmation No. 8995

Serial No.: 09/438,184 Examiner: D. Dinh

Filed: November 11, 1999 Group Art Unit: 2153

For: FLEXIBLE REMOTE DATA MIRRORING

Date: May 16, 2006

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted:
 Consider the amendment(s) reply under 37 C.F.R. § 1.116 previously filed on _____.
 Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 Other:

b. Enclosed is:

Amendment/Reply
 Affidavit(s)/Declaration(s)
 Information Disclosure Statement (IDS) 05/17/2006 TL0111 00000011 131703 09438184
 Other: 01 FC:2801 395.00 0P

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2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required).

Other:

3. Fees: (Note: The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed)

RCE fee required under 37 C.F.R. § 1.17(e)
 \$375 small entity
 \$790 large entity

(Small entity) <u>CLAIMS AS AMENDED</u>					
For:	Number After Amendment	Previous Number	Extra	Rate	Additional Fee
Total Claims	20	20*	0	x \$ 25 =	\$0
Independent Claims	2	2**	0	x \$100 =	\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					

<input checked="" type="checkbox"/> Extension of time fee (37 C.F.R. §§1.136 and 1.17)	small entity	large entity
<input type="checkbox"/> Extension of Time - 1 st	<input type="checkbox"/> \$60	<input type="checkbox"/> \$120
<input checked="" type="checkbox"/> Extension of Time - 2 nd	<input checked="" type="checkbox"/> \$225	<input type="checkbox"/> \$450
<input type="checkbox"/> Extension of Time - 3 rd	<input type="checkbox"/> \$510	<input type="checkbox"/> \$1020

Suspension of application fee (37 C.F.R. § 1.17(i))--\$130

PTO Form 2038 authorizing credit card payment is attached.

Any deficiency or overpayment should be charged or credited to deposit

Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



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